IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

Bail Appl..No. 1988 of 2007

CRIME NO.12/2003 OF PEROORKADA POLICE STATION

PETITIONERS/ACCUSED 1 TO 3

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1. SHABEER, S/O MUHAMMED SALI,
   MANGULAM HOUSE, MUTTADA P.O,
   THIRUVANANTHAPURAM.

2. SHANAZ SHABEER, S/O SHABEER,
   RESIDING -DO-

3. SHADIL SHABEER, S/O SHABEER,
   RESIDING -DO-

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT/STATE

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1. THE SUB INSPECTOR OF POLICE,
   PEROORKADA POLICE STATION.

2. STATE REPRESENTED BY
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1988/2007

Dated this 2nd day of April, 2007

O R D E R

The petitioners, who are accused Nos. 1 to 3 in Crime No.12/2003 of Peroorkada Police Station for offences punishable under Sections 143, 147, 148, 294(b), 324 and 308 IPC read with Section 149 IPC, seek anticipatory bail.

2. Consequent on the non appearance of the petitioners before the Additional Sessions Court (Fast Track-II), Thiruvananthapuram in S.C.No.2035/2004, non bailable warrants of arrest are pending against the petitioners. Such being the position, I am not inclined to nullify the process issued by a court of competent jurisdiction by granting anticipatory bail. There is no reason why the petitioners should not surrender before the trial Court and seek regular bail.

3. Accordingly, if the petitioners surrender before the trial Court and file applications for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which such applications are filed,

after examining the explanation submitted by the petitioners for their previous non appearance.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs